



**Federal Communications Commission
Washington, D.C. 20554**

June 25, 2015

DA 15-753

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In re: Enforcement Complaint Concerning KIRO-TV, Seattle, Washington
MB Docket No. 12-75, CSR 8597-C

Dear Mr. Basile and Mr. Beard:

On March 12, 2012, KIRO-TV, Inc. (“Cox”) filed a complaint alleging that New Day Broadband, LLC (“New Day”) had retransmitted the signal for station KIRO-TV, Seattle, Washington without Cox’s consent “for many months, and possibly since August 1, 2010.” On April 12, 2012, Cox filed a reply in which it stated, “It is undisputed that New Day retransmitted KIRO-TV’s programming without consent for a total of 592 days between August 1, 2010 and March 15, 2012” It is our understanding that New Day is no longer in business,¹ and thus that they are no longer retransmitting KIRO-TV’s programming. In addition, we note that the statute of limitations for the allegations contained in the complaint has expired.² Thus we hereby dismiss the complaint.

Accordingly, IT IS ORDERED that the complaint in the above-referenced proceeding IS DISMISSED WITH PREJUDICE and that the above-referenced proceeding IS TERMINATED.

¹ See Arwyn Rice, “Cable television service disconnected in Forks; about 120 customers affected,” *Peninsula Daily News* (Apr. 28, 2012), available at <http://www.peninsuladailynews.com/article/20120429/NEWS/304299992>.

² See *TV Max, Inc. and Broadband Ventures Six, LLC d/b/a Wavevision, et al.*, Forfeiture Order, 29 FCC Rcd 8648, 8658, n. 75 (2014) (“we may propose forfeitures only for violations that occurred within one year of the date of issuance of the [Notice of Apparent Liability]”); 47 U.S.C. § 503(b)(6).

This action is taken under delegated authority pursuant to Section 0.283 of the Commission's rules.³

Sincerely,

Steven A. Broeckaert
Senior Deputy Chief, Policy Division
Media Bureau

³ 47 C.F.R. § 0.283.